19[illegible].

File No. [illegible] M.O. 53

G- [illegible]

Legal Department

G **BRANCH.**

D3F

Subject:—

opinions under the

cotton Textiles (control

of Movement) order, 1948.

File No. O/C.T.C. M.O./53.

Gen. 194 e.

G-74/53

CONTENTS.

O.C.T.M.O./53(G-74)

Legal Department File No.....

Sr.No.	R.I./O.No.	Subject	Pages.
		Opinions under the Cotton Textiles (control of Movement) Order, 1948.	
1.)	O.No. 4- 513/26-8-53.	Re: Prosecution for breach of clause 3 of the Order.	1-2.

lk
9/8

K.S.R.
9/8

Legal Department.

In this case there is a clear attempt to transport one bale of cloth without a special transport permit and prosecution would lie under clause 3 of the Cotton Textiles (Control of Movement) Order, 1948. It is stated by Shri Ratilal that there are three directors of the Company (1) Shri Chimanlal Nathuram (2) Shri Maneklal Manchand and (3) Arvind Nadilal and that No. 1 is the Chairman and looks after the business. The Company, Shri Chimanlal Nathuram, Shri Ratilal, the manager, Shri Surendra and Shri Kanayalal Ambalal should be prosecuted. As regards the other directors, they should be prosecuted/ ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ only if there is evidence that they were also looking after the day to day transactions or had anything to do with the present transaction. Shri Manchandas need not be prosecuted as he is a mere dalal.

Shri Ratilal along with Surendra and Kanayalal should also be prosecuted for cheating.

So far as the offence under the Sales concerned, no opinion can be expressed as mere suspicion is expressed by the Textile Commissioner in his letter dated the 13th March 1953 and no investigation has been made in that respect. If on enquiries the police come to the conclusion that this is a case of evasion of Sales Tax, they may bring

Contd.

it to the notice of the Sales Tax Authorities.

Sd/-
o/c.

Secretary to Government.

U.R.to S.T.C.,No. G- 513, dated the 26th August 1953.

MM.

6/8-